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**VENABLE LLP**  
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**FAX COVER SHEET**

<b>DATE:</b>	May 26, 2006
<b>TO FAX NO:</b>	(571) 273-0830
<b>DELIVER TO:</b>	Examiner Minh-Tam DAVIS
<b>FIRM NAME:</b>	United States Patent and Trademark Office – Group 1642
<b>FROM:</b>	Nancy J. Axelrod, Ph.D. (202) 344-8334 njaxelrod@venable.com
<b>TOTAL NO. OF PAGES (INCLUDING THIS PAGE):</b>	7
<b>RE:</b>	U.S. Patent Application No. 09/743,825 – CHAQUI <i>et al.</i>
<b>OUR REFERENCE NO.:</b>	31978-202420

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133135

Venable Filing Number

Attorney/LAA: NJA/SJB  
PTO Due Date: N/A  
Date Filed: MAY 26, 2006  
TM Official Gazette Date:

Atty. Docket No: 31978-202420  
Re: "PB39, A GENE DYSREGULATED IN PROSTATE  
CANCER, AND USES THEREOF" -  
Rodrigo F. CHAQUI et al.  
Application No: 09/743,825  
Patent No.:

App'n Filing Date: JANUARY 15, 2002  
Issue Date:

The following items were received from Venable, Washington, D.C., by the U.S. Patent & Trademark Office:

U.S. PTO FEES ENCLOSED

- ☒ TRANSMITTAL FORM  
☒ FEE TRANSMITTAL LETTER  
☐ New U.S. Utility Application ( pages of specification/claims)  
Submission Of Formal Drawings ( Sheets, Figs. )  
☐ Invention Declaration  
☐ U.S. National Stage Application of PCT Application  
☐ Translation of International Application  
☐ New U.S. TM Application ( specimens)  
☐ Rule 53(d) Continued Prosecution Application  
☐ Substitute Specification  
☐ Rule 53(b) Continuation or Divisional Application (attach copy of specification,  
claims, drawings & declaration)  
☐ Priority Document-Cert. Copy of Appln.#: ; Country  
☐ Date Filed:  
☐ Request for Continued Examination (RCE) under 37 CFR 1.114  
☐ Request for Reconsideration  
☐ Application Data Sheet  
☐ Assignment w/Cover Sheet  
☐ IDS w/ PTO SB/08A  
☐ Amendment  
**SUBMISSION OF ASSIGNEE CONSENT TO CORRECT  
INVENTORSHIP; ASSIGNEE CONSENT UNDER 37 C.F.R.  
§ 1.48(d)**  
☒ Petition For Extension Of Time  
☐ Notice of Appeal  
☐ Appeal Brief (in triplicate)  
☐ Reply Brief (in triplicate)/ ☐ Request for Oral Hearing  
☐ Confirmation of Hearing Petition  
☐ Issue & Publication Fees Transmittal  
☐ Certificate of Correction  
☐ Maintenance Fee Transmittal  
☐ Power of Attorney  
☐ Response to Notice to File Missing Parts  
☐ Response to Notice to File Missing Requirements  
☐ Response to Restriction Requirement  
☐ Petition to Revoke  
☐ Sequence Listing - CDR Enclosed? ☐ Yes ☐ No  
☐ Status Inquiry  
☐ Request for Non-Publication  
☐ Request to Rescind Non-Publication Request  
☐ Terminal Disclaimer  
☐ Notice of Opposition (Please list all documents in Other section)  
☐ Amendment to Alleged Use

Filing Fee  
Surcharge Fee  
Additional Claim Fee  
Recordation/Indexing Fee  
IDS Fee  
Extension Fee  
Notice of Appeal Fee  
Brief on Appeal Fee  
Oral Hearing Request Fee  
Petition Fee  
Issue Fee  
Publication Fee  
Maintenance Fee  
TM Statement of Use  
8 Affidavit Fee  
8 and 15 Affidavit  
TM Renewal Application Fee  
Notice of Opposition Fee  
TM Extension of Time Fee

-NONE- Total Fees Paid

☐ Check Number Attached  
☒ Charge Deposit Account No. 22-0251 If  
there is any fee.

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PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	<b>09/743,825</b>	
	<b>Filing Date</b>	<b>January 15, 2002</b>	
	<b>First Named Inventor</b>	<b>Rodrigo F. CHAQUI</b>	
	<b>Group Art Unit</b>	<b>1842</b>	
	<b>Examiner Name</b>	<b>Minh-Tam DAVIS</b>	
<b>Total Number of Pages In This Submission</b>	<b>5</b>	<b>Attorney Docket Number</b>	<b>31978-202420</b>

ENCLOSURES (check all that apply)				
<input checked="" type="checkbox"/> <b>Fee Transmittal Form (No Fee)</b>  <input type="checkbox"/> <b>Fee Attached</b>  <input type="checkbox"/> <b>Amendment / Response</b>  <input type="checkbox"/> <b>After Final</b>  <input type="checkbox"/> <b>Affidavits/declaration(s)</b>  <input type="checkbox"/> <b>Extension of Time Request</b>  <input type="checkbox"/> <b>Express Abandonment Request</b>  <input type="checkbox"/> <b>Information Disclosure Statement</b>  <input type="checkbox"/> <b>Certified Copy of Priority Document(s)</b>  <input type="checkbox"/> <b>Response to Missing Parts/ Incomplete Application</b>  <input type="checkbox"/> <b>Response to Missing Parts Under 37 CFR 1.52 or 1.53</b>	<input type="checkbox"/> <b>Assignment Papers (for an Application)</b>  <input type="checkbox"/> <b>Drawing(s)</b>  <input type="checkbox"/> <b>Licensing-related Papers</b>  <input type="checkbox"/> <b>Petition</b>  <input type="checkbox"/> <b>Petition to Convert to a Provisional Application</b>  <input type="checkbox"/> <b>Power of Attorney, Revocation Change of Correspondence Address</b>  <input type="checkbox"/> <b>Terminal Disclaimer</b>  <input type="checkbox"/> <b>Request for Refund</b>  <input type="checkbox"/> <b>CD, Number of CD(s) _____</b>	<input type="checkbox"/> <b>After Allowance Communication to Group</b>  <input type="checkbox"/> <b>Appeal Communication to Board of Appeals and Interferences</b>  <input type="checkbox"/> <b>Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)</b>  <input type="checkbox"/> <b>Proprietary Information</b>  <input checked="" type="checkbox"/> <b>Submission of Assignee Consent to Correct Inventorship; Assignee Consent Under 37 C.F.R. § 1.48(d)</b>  <input type="checkbox"/> <b>Other Enclosure(s) (please identify below):</b>		
<table border="1"> <tr> <td><b>Remarks</b></td> <td></td> </tr> </table>			<b>Remarks</b>	
<b>Remarks</b>				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
<b>Firm or Individual name</b>	<b>Nancy J. Axelrod, Ph.D. Patent Agent Reg. No. 44,014</b>	<b>26694</b> <small>ATTENT TRADEMARK OFFICE</small>
<b>Signature</b>	<i>Nancy Axelrod</i>	
<b>Date</b>	<b>May 26, 2006</b>	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this date: _____			
<b>Typed or printed name</b>			
<b>Signature</b>		<b>Date</b>	

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SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, 22313-1450.  
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**MAY 31 2006**

PTO/SB/17 (12-04v2)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<p><small>Effective on 12/09/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4616).</small></p> <p><b>FEE TRANSMITTAL</b></p> <p><b>For FY 2006</b></p>		<p><b>Complete if Known</b></p>		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/743,825	
		Filing Date	January 15, 2002	
		First Named Inventor	Rodrigo F. CHAQUI	
		Examiner Name	Minh-Tam DAVIS	
		Art Unit	1642	
TOTAL AMOUNT OF PAYMENT (\$)		- 0 -	Attorney Docket No.	31978-202420

<b>METHOD OF PAYMENT</b> (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please specify) _____	
<input checked="" type="checkbox"/> Deposit Account    Deposit Account Number: <u>22-0261</u> Deposit Account Name: <u>Venable LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

<b>FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
		<small>Small Entity</small>		<small>Small Entity</small>		<small>Small Entity</small>	
<b>Application Type</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
							<small>Small Entity</small>
							<b>Fee (\$)</b>
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (Including Reissues)							200
Multiple dependent claims							360
<b>Total Claims</b>							
<b>Extra Claims</b>							
<b>Fee (\$)</b>							
<b>Fee Paid (\$)</b>							
<b>Multiple Dependent Claims</b>							
<b>Fee (\$)</b>							
<b>Fee Paid (\$)</b>							
HP = Highest number of total claims paid for, if greater than 20.							
<b>Indep. Claims</b>							
<b>Extra Claims</b>							
<b>Fee (\$)</b>							
<b>Fee Paid (\$)</b>							
HP = highest number of total claims paid for, if greater than 3.							
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>		<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>		<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	
- 100 =		/50	(round up to a whole number) x		=		
<b>4. OTHER FEE(S)</b>							<b>Fees Paid (\$)</b>
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge):							

<b>SUBMITTED BY</b>			
Signature	<u>Nancy J. Axelrod</u>	Registration No. (Attorney/Agent)	44,014
Name (Print/Type)	Nancy J. Axelrod, Ph.D. - Patent Agent	Telephone	(202) 344-4000
		Date	May 26, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Rodrigo F. CHAQUI *et al.*

Application No.: 09/743,825

Filed: January 15, 2002

For: PB39, A GENE DYSREGULATED IN  
PROSTATE CANCER, AND USES  
THEREOF

Confirmation No.: 8611

Art Unit: 1642

Examiner: Minh-Tam DAVIS

Atty. Docket No. 31978-202420

Customer No.:  
26694  
PATENT TRADEMARK OFFICE

SUBMISSION OF ASSIGNEE CONSENT TO CORRECT INVENTORSHIP

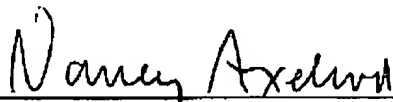
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to counsel's recent telephone conversations with Examiner Davis, Applicants herewith submit an Assignee Consent Under 37 C.F.R. § 1.48(d) to the Request to Correct Inventorship (adding Michael R. Emmert-Buck as an inventor) that was filed with the Patent and Trademark Office on November 9, 2004.

Respectfully submitted,

Date: May 26, 2006

  
\_\_\_\_\_  
Nancy J. Axelrod, Ph.D.  
Patent Agent  
Registration No. 44,014  
VENABLE, LLP  
Post Office Box 34385  
Washington, D.C. 20043-9998  
Telephone: (202) 344-4000  
Telefax : (202) 344-8300

NJA/SJB  
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Docket No.: 31978-202420  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Chuaqui et al.

Application No.: 09/743825

Confirmation No.: 8611

Filed: January 15, 2002

Art Unit: 1642

For: PB39, A GENE DYSREGULATED IN  
PROSTATE CANCER, AND USES  
THEREOF

Examiner: M. T. B. Davis

USPTO Customer No.: 45323

ASSIGNEE CONSENT UNDER 37 C.F.R. § 1.48(d)

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Government of the United States of America, as represented by the Secretary, Health and Human Services, National Institutes of Health, Office of Technology Transfer, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852-3804, is the assignee of this application. The original inventors executed an Assignment on 01/12/2004, 02/03/2004 and 01/13/2004. The executed Assignment was submitted with a Recordation Form coversheet on 02/03/2004. The

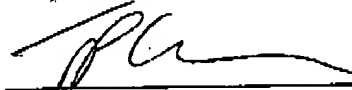
Application No.: 09/743825

Docket No.: 31978-202420

undersigned hereby consents to the Request to Correct Inventorship, which was submitted on 11/09/2004, adding Michael R. Emmert-Buck as an additional inventor.

Respectfully submitted

Date: May 25, 2006

 Reg. No. 46,629

The Government of the United States of America, as  
represented by the Secretary, Health and Human  
Services

National Institutes of Health  
Office of Technology Transfer  
6011 Executive Boulevard, Suite 325  
Rockville, MD 20852-3804

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